

REMARKS

Claims 1-19 stand in this application. Claims 1, 9, 12 and 18 have been amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

35 U.S.C. § 103(a)

At page 2, paragraph 3, claims 1-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over United States Patent Number (USPN) 6,266,776 (Sakai). Applicant respectfully traverses this rejection, and requests reconsideration and withdrawal of the obviousness rejection.

As correctly stated in the Office action, the Sakai reference “does not explicitly teach that each device having an operating power level.” Office Action, Page 3, Paragraph 4. The Office Action further states that “one of ordinary skill in the art would have recognized that each of components (11-15) in the system would obviously having at least a normal operating power level and an OFF power level.” Id. Applicant respectfully disagrees.

Although Applicant disagrees with the broad ground of rejections stated in the Office Action, Applicant has amended the independent claims to further prosecution on the merits. Claims 1 and 18 have been amended to recite “creating a modification signal, based on said change in said power level of said power supply, to modify an operating power level of at least one of said plurality of devices from a first operating power level to a second operating power level.” Claim 9 has been amended to recite “to modify an

operating power level for a device of a plurality of devices connected to said power supply from a first operating power level to a second operating power level.” Claim 12 has been amended to recite “said power modification unit to detect a change in said power supply power level and to modify said operating power levels of at least one of said plurality of devices from a first operating power level to a second operating power level.” Support for the amendments is found throughout the specification. *See*, for example, Specification, Page 5: Lines 15-21, Page 7: Lines 11-20, Page 9: Lines 12-21, Page 16: Lines 15-19, Page 17: Line 21 to Page 19: Line 16, and so forth. At least this language is not disclosed by the Sakai reference, and moreover, is non-obvious in view of the Sakai reference.

Independent claims 1, 9, 12 and 18 define over the Sakai reference. The Sakai reference may arguably disclose switching between various sleep states in accordance with the ACPI specification. The various sleep states maintain the preceding execution states of a system. The various components of the system, however, are not operating while in the various sleep states. Sakai, Col. 1: Lines 25-30 (stating “called sleep states; i.e., preceding execution state of software is maintained, but the operation stops.”). By way of contrast, the independent claims recite modifying an operating power level for a device from a first operating power level to a second operating power level. As indicated by this language, a particular device remains operable after modification of its power level. The Sakai reference states that “embedded controller 16 stops power supply to unnecessary portions.” Sakai, Col. 7: Lines 20-22. From this statement it appears that the embedded controller 16 may arguably turn off a component while in various sleep states, but does not modify the operating power level for a component so that the

component remains operable as recited in the claimed subject matter. Consequently, the Sakai reference fails to disclose all the language of independent claims 1, 9, 12 and 18. Furthermore, the missing language is neither taught nor suggested by the Sakai reference. Accordingly, removal of the obviousness rejection with respect to these claims is respectfully requested.

In addition, if an independent claim is non-obvious under 35 U.S.C. § 103, then any claim depending therefrom is non-obvious. *See* MPEP § 2143.03, for example. Accordingly, removal of the obviousness rejection with respect to claims 2-8, 10, 11, 13-17 and 19 is respectfully requested. Claims 2-8, 10, 11, 13-17 and 19 also are non-obvious and patentable over the Sakai reference, at least on the basis of their dependency from claims 1, 9, 12 or 18. Since claims 2-8, 10, 11, 13-17 and 19 are dependent claims, these claims also contain additional features that further distinguish these claims from the Sakai reference. Applicant, therefore, respectfully requests the removal of the obviousness rejection with respect to these dependent claims.

Applicant respectfully submits that in light of the foregoing amendments and remarks, all of the presently pending claims are in condition for allowance. Allowance of the presently pending claims is therefore respectfully requested.

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

Appl. No. 09/852,432
Amendment Dated April 28, 2005
Reply to Office Action of January 5, 2005


The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.

Respectfully submitted,
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s/John F. Kacvinsky/s

John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to:
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Deborah L. Higham 4-28-05
Date

Dated: April 28, 2005

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